IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Central Excise Appeal No.25 of 2005

The Commissioner of Central Excise. .. Appellant
v/s.
Kamal Kumar Jain. .. .. Respondent

Ms.Neeta Masurkar with Mr.M.I. Sethna for appellant.

Mr.H.R.Shetty for respondent.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 7th December 2005

P.C. :

1. Heard Ms.Masurkar in support of this Appeal. Mr.Shetty appears for the respondent.

2. The order passed by the Tribunal records that the learned Departmental Representative admitted that no goods had been ordered to be confiscated and in view thereof, no penalty could be imposed under Rule 209A of the Central Excise Rules.

3. In view of the above, there is no need to interfere in the Appeal nor does any question of law arise. Appeal is dismissed.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)